

Wetlands Bureau Decision Report

Decisions Taken
05/11/2009 to 05/17/2009

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2008-01233 DUANE, NANCY TINK
WOLFEBORO Lake Wentworth

Requested Action:

Install a 3 ft 4 in x 20 ft seasonal dock on an average of 700 ft of frontage on Heath Brook, in Wolfeboro.

Conservation Commission/Staff Comments:

Con Com questions attachment points, applicant submitted information on plans showing such.

APPROVE PERMIT:

Install a 3 ft 4 in x 20 ft seasonal dock on an average of 700 ft of frontage on Heath Brook, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by as received by DES on July 02, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 20 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. The applicant has an average of 700 feet of frontage along Lake Wentworth and Heath Brook.
3. A maximum of 10 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. A public hearing was held on May 06, 2009, with no comments provided with respect to the proposed seasonal dock.
6. The applicant has submitted information to the file indicating the installation of a seasonal dock along this frontage will not adversely impact the adjacent prime wetlands.

-Send to Governor and Executive Council-

2008-01333 WHITEFIELD, TOWN OF
WHITEFIELD Unnamed Wetland

Requested Action:

Request to modify permit condition #18 language from "prior to construction" to "prior to August 1, 2009".

Conservation Commission/Staff Comments:

Cons. Comm. no comments

Inspection Date: 09/05/2008 by Gino E Infascelli

APPROVE AMENDMENT:

Dredge and fill 80,770 sq. ft. of palustrine wetlands to relocate the drainage (470 ft.), construct a partial parallel taxiway "A" and a taxiway "C" along with reconstruction of the aircraft ramp.

Mitigate by funding the purchase of 18.5 acres to be transferred to the US Fish and Wildlife Service and provide a payment into the Aquatic Resource Mitigation (ARM) Fund.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spofford & Thorndike, LLC dated March 7, 2008, REVISED 11/29/2008 as received by the Department on Dec. 31, 2008 and sheet C-4 signed and received Feb. 11, 2009.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Construction equipment shall not be located within surface waters.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
13. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

Wetland preservation:

15. This permit is contingent upon the permanent protection of 18.5 acres of land as depicted in the Mitigation Area Assessment, Mt. Washington Regional Airport, Whitefield report by Lobdell Assoc. dated November, 2008 as received by the DES on Nov. 24, 2008.
16. The conservation easement or conservation restrictions that may be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to the restrictions provided.
17. Draft conservation language shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval.
18. The plan noting the conservation area with a copy of the final deed language shall be recorded with the Registry of Deeds Office for each appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to August 1, 2009.
19. A copy of the deed shall be submitted to the DES Wetlands Bureau following purchase of the property. The Wetlands Bureau shall be notified of subsequent transfers of the property to another agency that has been retained for management purposes.
20. There shall be no removal of the existing vegetative undergrowth within the preservation area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
21. Activities in contravention of the conservation restrictions shall be construed as a violation of RSA 482-A and those activities

shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

22. As agreed at the monthly Natural Resource Agency meeting held on Oct. 15, 2008, that after the purchase of the mitigation parcel any remaining funds granted to mitigate wetlands impacts are to be placed in the Aquatic Resource Compensatory Mitigation Fund as stated on the Mitigation Work Plan received by the DES on November 24, 2008.

23. The ARM Fund payment shall be deposited in the DES account prior to construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects involving alteration of non-tidal wetlands in excess of 20,000 sq. ft.
2. The applicant found that processing the land transfer, to accomplish the preservation component of the mitigation, was going to take longer than anticipated and has committed to the finalization of the mitigation by August 1, 2009.
3. Modifying the permit condition and allowing the project to proceed has the benefit of maximizing slope stabilization prior to the end of the growing season.

2008-01902 LOWE, EDMUND
NASHUA Prime Wetland #7

Requested Action:

Perform construction activities in 1,116 sq. ft. of previously disturbed uplands within 100 feet of a designated prime wetland to construct a single family residence with appurtenant parking and landscaping with all work located more than 75 ft. from the prime wetland reference line.

Conservation Commission/Staff Comments:

This project received approval from the Nashua Conservation Commission with local stipulations.

APPROVE PERMIT:

Perform construction activities in 1,116 sq. ft. of previously disturbed uplands within 100 feet of a designated prime wetland to construct a single family residence with appurtenant parking and landscaping with all work located more than 75 ft. from the prime wetland reference line.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated 8 August 2008 (last revised 10/15/08), as received by DES on October 20, 2008.
2. The deed for Tax Map C / Lot No. 805 having any portion of within the 100 foot Prime Wetland Buffer or Prime Wetland shall include the conditions of this permit.
3. The applicant shall notify in writing the DES Wetlands Bureau Southeast Region staff and the Nashua Conservation Commission of the intention to start construction no less than five (5) business days prior to the commencement of construction.
4. The boundaries of the 100-foot prime wetland buffer shall be clearly marked with orange construction fencing prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
5. The boundaries of the 100-foot prime wetland buffer shall be permanently and clearly marked with signs every 50 feet to indicate the location of and restrictions on the area.
6. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
7. There shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the 100-foot prime wetland buffer except as authorized under this permit. The placement of fill, construction of additional structures, or storage of vehicles or hazardous materials is prohibited.
8. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
9. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be

submitted to the Wetlands Bureau within 60 days of the completion of construction.

10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. A Prime Wetlands Public Hearing on this application was held on March 20, 2009.

2008-02016 HOOKSETT, TOWN OF
HOOKSETT Unnamed Wetland Dalton Brook

Requested Action:

The applicant requests reconsideration of the permitting decision dated February 13, 2009.

APPROVE RECONSIDERATION:

Reconsider permit denial dated February 13, 2009 and reinstate original permit to: Dredge and fill 6000 square feet along 350 linear feet of Dalton Brook further described as follows: Dredge the existing channel south of Benton Road to increase the hydrologic gradient of the stream, replace the existing 48-inch x 35 foot culvert with a 6-foot high x 10-foot wide x 35 feet long box culvert and relocate 180 linear feet of stream to improve the alignment and the hydrologic gradient.

With Conditions:

1. All work shall be in accordance with plan sheets 2 & 3 by Santec dated November 8, 2008 and revised through November 20, 2008, as received by the Department on December 1, 2008 and plan sheets 9 & 11A by Santec dated November 8, 2008 and revised through November 20, 2008, as received by the Department on December 12, 2008.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. Construction shall be inspected daily by a qualified stream specialist trained in fluvial geomorphology to ensure that the objectives to reduce flooding impacts and are being met, and appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. This approval is contingent upon a formal acceptance of the proposed conservation easement from the Hooksett Conservation Commission; no work may begin until a copy of a signed document stating such has been received by DES Wetlands Bureau.
6. This approval is contingent upon receipt and written approval of the draft conservation easement language by NHDES Wetlands Bureau, no work within jurisdiction may commence until written approval is granted.
7. This permit is contingent upon review and coordination with the DES Watershed Management Bureau's Water Quality Planning Section.
8. The permittee shall designate a qualified professional, trained in fluvial geomorphology who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the approved plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the

NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

10. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.

11. Weekly monitoring reports of work and restoration areas prepared by the qualified professional shall be submitted to the DES Wetlands Bureau, and NH Fish and game via e-mail. These reports shall include photographic documentation of the construction and stabilization efforts and a brief description of the progress of construction.

12. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

13. Work shall be done during low flow.

14. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.

15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

16. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.

17. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

18. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

19. No equipment shall enter the water.

20. All work shall be done from the top of the bank.

21. Prior to commencing work on a substructure within surface waters, a sandbag or other approved cofferdam shall be constructed to isolate the substructure work area from the surface waters.

22. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.

23. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

24. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

25. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

26. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

27. Temporary cofferdams shall be entirely removed immediately following construction.

28. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

29. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

30. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

31. This permit is contingent upon the execution of a conservation easement as depicted on plans by Stantec dated October 29, 2008, and revised through November 20, 2008 as received by the Department on December 1, 2008.

32. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

33. The stream creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a functioning stream system similar to those of the stream channel destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.

34. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.

35. Signs to indicate the location of and restrictions on the area shall be posted every 50 feet along the boundary of the conservation area within 60 days of the completion of construction.
36. A preconstruction baseline report including photographs documenting the entire reach of the stream from the work area to the prime wetland and setting up long term monitoring locations shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
37. Within 60-days of the completion of the project the first post construction report, including photographs illustrating the status of the completed project, and the monitored downstream reach shall be submitted to the Wetlands Bureau and NH Fish and Game via e-mail to jocelyn.degler@des.nh.gov and john.a.magee@wildlife.nh.gov.
38. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the stream recreation area and the downstream monitored reach and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
39. The applicant shall prepare a report summarizing existing conditions within the conservation area and a copy submitted to the file prior to construction.
40. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
41. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

Finally the department provides the following additional findings:

1. On March 13, 2009, DES received a Motion for Reconsideration of the DES permitting denial issued on February 13, 2009.
2. The correspondence received from the applicant's agent indicates a 0.1 foot or more increase the elevation of Dalton Brook during a 2, 5, and 10 year storm event with the increase in the size of the culvert.
3. The correspondence received indicates that the proposed project will not increase the flows of Dalton Brook, and the elevations of Dalton Brook will not change at the 25, 50 or 100 year storm event.
4. The proposed increase in elevation is within the 100-year flood plain and within an existing conservation easement. The easement holder has agreed to the proposed project and has agreed to accept the extended easement area.
5. The applicant has provided documentation that the floodwaters flow across the existing HLD parcel and into the detention basin that is located on the site.
6. The applicant has provided photographs indicating flood waters flowed across the lot prior to the construction of the existing site.
7. As shown in the Alteration of Terrain application, permitted under WPS-7140, the design of the HLD parcel did not take in account the existing flood waters that traveled across the HLD parcel.
8. The applicant has provided information from the September 7, 2008, Tropical Storm Hannah, indicating that the HLD parcel experienced flooding around their buildings and into the existing pond on the site.
9. The Department finds that the proposed project will not infringe on the property rights or unreasonably affect the value or enjoyment of the abutting property owner as the water is currently flowing across the site and into the existing pond.

2009-00202 COLEBROOK, TOWN OF
COLEBROOK Mohawk River

Requested Action:

Propose to replace two existing retaining walls and install rip-rap to protect retaining walls involving 3613 sq. ft. of impacts on the Mohawk River, a perennial stream. The first impact area involves replacing approximately 200 linear feet of concrete cast-in-place retaining wall with a segmental wall temporarily impacting 750 sq. ft. and permanently impacting 1596 sq. ft. of the Mohawk River and bank. The second impact area involves replacing approximately 100 linear feet of gabion basket wall with a segmental wall temporarily impacting 375 sq. ft. and permanently impacting 735 sq. ft. of the Mohawk River and bank. The third impact area is for the installation of rip-rap permanently impacting 157 sq. ft. of the Mohawk River and bank.

APPROVE PERMIT:

Replace two existing retaining walls and install rip-rap to protect retaining walls involving 3093 sq. ft. of impacts on the Mohawk River, a perennial stream. The first impact area involves replacing approximately 200 linear feet of concrete cast-in-place retaining wall with a segmental wall temporarily impacting 712 sq. ft. and permanently impacting 1114 sq. ft. of the Mohawk River and bank. The second impact area involves replacing approximately 100 linear feet of gabion basket wall with a segmental wall temporarily impacting 375 sq. ft. and permanently impacting 735 sq. ft. of the Mohawk River and bank. The third impact area is for the installation of rip-rap permanently impacting 157 sq. ft. of the Mohawk River and bank.

With Conditions:

1. All work shall be in accordance with Town of Colebrook: Mohawk River Retaining Wall Replacement plans by Horizons Engineering entitled: Grading, Utilities and Erosion Control Site Plan (sheet 3 of 8); River Cross Sections (sheets 4 and 5 of 8) Standard Drainage Details, Miscellaneous Details and Notes (sheet 6 of 8); Standard Sanitary Sewer Details and Notes (sheet 7 of 8); Erosion Control Details and Notes (sheet 8 of 8) as received by DES on May 01, 2009.
2. Work shall be done during low flow conditions.
3. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
19. Following completion of work the areas of temporary impact shall be restored with native stream material and be restored to the original contours.
20. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
21. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
22. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a Major Project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing retaining walls are failing.
6. The limits of the new retaining walls are the same as the existing conditions.
7. The applicant does not propose to raise the stream bed, however the stream cross section will decrease due to the installation of rip-rap.
8. Rip-rap is necessary to protect the retaining wall from erosive velocities.
9. Flood elevations are expected to increase by 9" for a 50 year event. The increase is primarily due to a constriction at the end of the building on tax map 106 lot 108. Moving the building and associated retaining wall further back from the river to improve flow was not consider an option by the town as federal EDA and EDI (Economic Development Initiative) funds can not be used on private property.
10. Project revisions reduced impact Area #1 from 750 sq. ft. of temporary impacts and 1596 sq. ft. of permanent impacts to 712 sq. ft. of temporary impacts and 1,114 sq. ft. of permanent impacts.
11. The applicant obtained permission to reconstruct the retaining walls from the affected landowners and supplied copies of the permissions to DES Wetlands Bureau.
12. The applicant has requested a waiver per Env-Wt 204.03, to the requirement for plans stamped by Certified Wetlands Scientist as required by Env-Wt 301.01(g).
13. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
14. The project meets the criteria of Env-Wt 302.03(c)(2) and does not require a compensatory mitigation proposal
15. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the NH Natural Heritage Bureau or the Colebrook Conservation Commission.
16. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2007-02513 PIERMONT, TOWN OF
PIERMONT Bean Brook

Requested Action:

Propose to amend permit to include installing a temporary water diversion structure in Bean Brook, a perennial stream, temporarily impacting approximately 100 sq. ft. during the construction of the permitted bridge.

Conservation Commission/Staff Comments:

Expedited as per applicant request. Approved 26 Dec 2007.

APPROVE AMENDMENT:

Replace an existing 22 ft. wide deteriorated bridge with 40 ft. wide spanned bridge, impacting approximately 500 sq. ft. of jurisdictional stream bank relating to abutment construction. Approve amendment request to install a temporary water diversion structure temporarily impacting approximately 100 sq. ft. of a perennial stream during construction of the bridge.

With Conditions:

1. All work shall be in accordance with plans entitled: Bridge Replacement for Town of Piermont, Bridge # 060/073, in 7 consecutive sheets, dated 10/1/07, prepared by C.M. Davidson, Inc., as received by the Department on October 18, 2007; Bean Brook Water Diversion Plan by Morrill Construction, Inc., as received by the Department on April 28, 2009; Water Diversion narratives by Morrill Construction, Inc., as received by the Department on April 27, 2009 and April 28, 2009.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
7. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Use native material such as: cobbles (not crushed stone or other crushed rip-rap) to stabilize the banks of streams to the 1-2 year flow.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.2.
12. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore; any stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).

The Department reaffirms findings 2-7 of the original approval:

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. Based on the demonstrated need to expedite the construction of the new bridge prior to severe weather and ice flowage, the applicant has requested an expedited review on December 10, 2007. The applicant reports that the existing deteriorated bridge has been deemed "red list" and "critically deficient" by the NHDOT, and therefore, a new structure is justified and granted an expedited review process in accordance with Department Of Environmental Services Standard Operating Procedure, No. 201-Processing of Permit Applications, and deemed necessary by the Bureau on December 20, 2007.
4. The proposed work is within a mile of an area determined to be an Impaired Water. The appropriate condition will be applied accordingly.
5. Due to the overall placement and location of the proposed bridge and associated abutments, the applicant has provided evidence

which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

6. The application and circumstances demonstrates by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project - as this proposed upgrade will be outside the limits of the existing bridge and will not impact any surface waters as proposed.

7. Due to the need to provide adequate thoroughfare for residents and emergency vehicles, to allow safe vehicular passage over the watercourse and based on the need demonstrated in the record, the Department has determined that the proposed work is in the public's best interest, will result in minimal to no adverse environmental impacts within areas of jurisdiction and the activity should be permitted and conditioned accordingly.

And makes the following additional findings:

8. This amendment to permit coffer dams was necessary due to the lack of stable subgrade material at the location of the west abutment.

9. This amendment was expedited because work is currently in progress.

10. The applicant stated that there is no change in the footprint of the project from what was previously approved, with the exception of the coffer dam.

11. This permit amendment meets the requirements of RSA 482-A:3 XIV(e).

2007-02682 DOLOMA INVESTMENT OF PORTSMOUTH INC
NEWINGTON Unnamed Wetland

Requested Action:

Approve name change to: Doloma Investment of Portsmouth, Inc., 153 Split Rock Road, Paramus, New Jersey 07652 per request received 4/27/09. Previous owner: Tyco Intergrated Systems Inc.

APPROVE NAME CHANGE:

Impact a total of 3,900 sq. ft. of freshwater wetlands over three locations for access and grading associated with development of a commercial lot in a commercial-industrial zone.

With Conditions:

1. All work shall be in accordance with plans by Appledor Engineering Inc. dated 10/24/2007, as received by the Department on 11/8/2007.
2. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
3. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Work shall be done during low flow.
11. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate of non-tidal wetlands which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The site was investigated for the the species of concern, the Henslow's Sparrow, reported in the area by the NH Natural Heritage Bureau. The site was found to not consist of the appropriate habitat for this species, and was not the location of the 1983 species siting.
5. The Newington Conservation Commission did not intervene on the application.
6. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2008-02470 FERGUSON, JACK
NEW DURHAM Merrymeeting Lake

Requested Action:

Repair and reduce an existing rock filled dock by 112 sq ft and install a 6 ft x 16 ft seasonal docking structure on an average of 100 ft of frontage on Merrymeeting Lake, in New Durham.

Conservation Commission/Staff Comments:

No comments from Con Com by January 16, 2009

APPROVE PERMIT:

Repair and reduce an existing rock filled dock by 112 sq ft and install a 6 ft x 16 ft seasonal docking structure on an average of 100 ft of frontage on Merrymeeting Lake, in New Durham.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management revision dated March 15, 2009, as received by DES on March 19, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. The area of removed permanent dock shall be dredge to match the adjacent lakebed contours.
7. All dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The seasonal pier shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 16 feet from the end of the permanent docking structure full lake elevation.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of any docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided

evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The removal of 112 sq ft of grandfathered permanent docking structure from the waterbody and installation of 96 sq ft seasonal docking structure is less impacting than repairing the existing structure in kind.
5. The applicant has an average of 100 feet of shoreline frontage along Merrymeeting Lake.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2008-02816 LOON MTN RECREATION CORP
LINCOLN Pemigewasset River

Requested Action:

Follow-up permitting for an Emergency Authorization issued by DES on December 30, 2008 for 9,100 sq. ft. of temporary river bed impacts (East Branch Pemigewasset River) for the removal of accumulated sediment that had prevented use of the previously permitted/existing snowmaking systems infiltration gallery.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued by DES on December 30, 2008 for 9,100 sq. ft. of temporary river bed impacts (East Branch Pemigewasset River) for the removal of accumulated sediment that had prevented use of the previously permitted/existing snowmaking systems infiltration gallery.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
2. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. All work in jurisdictional wetlands/surface waters and banks of surface waters has been completed.
6. Any additional work in jurisdiction will require additional permitting and approval by DES.

2009-00142 HAWKINS, HUBERT
SUGAR HILL Unnamed Wetland

Requested Action:

Propose to fill 1,397 square feet of wetlands and 20 linear feet of an associated intermittent stream (man-made drainage ditch) for construction of an access road to a proposed single family home. Work in wetlands consists of one wetlands crossing including an intermittent stream crossing with a 30" diameter by 15' length metal pipe culvert and associated filling and grading.

Conservation Commission/Staff Comments:

conservation commission signed the application.

APPROVE PERMIT:

Fill 1,297 square feet of wetlands and 20 linear feet of an associated intermittent stream (man-made drainage ditch) for construction of an access road to a proposed single family home. Work in wetlands consists of one wetlands crossing including an intermittent stream crossing with a 30" diameter by 15' length metal pipe culvert and associated filling and grading. Restore 2,872 square feet of existing wetland impacts by removing fill, removing an existing 2' by 30' corrugated metal pipe culvert, and grading the area to maintain the a natural drainage pattern. Retain 697 square feet of existing wetland impact with the condition that the road will not used for vehicular access and will be blocked by boulders.

With Conditions:

1. All work shall be in accordance with plans by Presby Construction, Inc. entitled: Driveway wetland xing permit (sheet 1 of 1) revised 4/3/09, as received by DES on April 20, 2009.
2. The existing wetlands impacts shall be restored in accordance with plans by Presby Construction, Inc. entitled Revised Site Plan 50scale revised 4/23/09, as received by DES on April 30, 2009, and restoration narrative dated 4/24/09 as received by DES on April 30, 2009.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during periods of non-flow or low flow.
5. All approved wetlands restoration work shall be conducted before or during construction of the new wetlands crossing.
6. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one growing season, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. The culvert shall be laid at original grade.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor project per Env-Wt 303.03(h): projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f)
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.

5. The 30" culvert is 1.2 times bankfull width and will allow passage of a fifty year 24 hour storm.
6. Plan revisions reduced the width of the driveway and decreased the wetland impact area by 101 square feet.
7. There are existing woods roads that go through the property and cross wetlands in two locations. It is not clear by whom or when these crossings were built. It is likely the existing wetland impacts were for forestry activities approximately thirty years ago, by a previous landowner.
8. The existing crossings could not be used to access the proposed single family residence because either they could not be widened due to a rock ledge or they would require additional wetland impacts to be used.
9. Since the existing crossings can not be used to access the residence, the applicant will restore 2,872 square feet of existing wetland impacts by removing fill, removing an existing 2' by 30' corrugated metal pipe culvert, and grading the area to maintain a natural drainage pattern. The existing crossing in the southwest corner is vegetated and will not be maintained or used for vehicular access. Several boulders will be placed to block vehicular access to this area.
9. A man-made drainage ditch runs through the property. It is not clear when this ditch was built. The ditch is currently stable and the department is not requesting restoration at this time.
10. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
11. The Sugar Hill Conservation Commission signed the application certifying that it has reviewed the application and waives its right to intervene per RSA 482-A:11.

2009-00296 RICE 2004 REVOC TRUST, PETER
ALTON Lake Winnepesaukee

Requested Action:

Construct a 6 ft x 40 ft seasonal dock connected to a 6 ft x 40 ft seasonal dock by a 6 ft x 12 ft seasonal walkway, construct a 398 sq ft perched beach with wooden stairs over the bank on an average of 161 ft of frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com submitted comments on dock length and patio

APPROVE PERMIT:

Construct a 6 ft x 40 ft seasonal dock connected to a 6 ft x 40 ft seasonal dock by a 6 ft x 12 ft seasonal walkway, construct a 398 sq ft perched beach with wooden stairs over the bank on an average of 161 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors revision dated May 01, 2009, as received by DES on May 04, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. The seasonal piers shall be removed from the lake for the non-boating season.
6. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
7. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be seasonal steps over the bank with no excavation of the bank for installation to the lake. The steps shall be removed for the winter months.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 161 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2009-00395

SPNHF

GROTON Tributary To Cockermouth River

Requested Action:

Propose to replace an existing logging truck bridge on a perennial stream involving 110 sq. ft. of permanent stream impacts and 70 sq. ft. of permanent stream bank impacts. There will be 105 sq. ft. of temporary stream impacts for erosion control during construction.

APPROVE PERMIT:

Replace an existing logging truck bridge on a perennial stream involving 110 sq. ft. of permanent stream impacts and 70 sq. ft. of permanent stream bank impacts. There will be 105 sq. ft. of temporary stream impacts for erosion control during construction.

With Conditions:

1. All work shall be in accordance with plans by Foreco LLC, Inc. entitled: Bridge Replacement Map as received by DES on March 06, 2009; and plans by W. Weisiger entitled Side View; Top View as received by DES on March 6, 2009.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
5. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
6. Construction equipment shall have specialized low ground pressure tracks, or the permittee shall utilize mats beneath machines when driving across the stream.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired

immediately.

14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

16. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed bridge will increase flow by increasing the bridge span from 15' to 17'.
6. The hay bale sediment trap will not be placed in the water.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the NH Natural Heritage Bureau or the Groton Conservation Commission.

2009-00426 WOLFEBORO, TOWN OF
WOLFEBORO Lake Wentworth

Requested Action:

Restore and stabilize 195 linear feet of disturbed shoreline with natural rock and plantings adjacent to an existing public beach with a 6 ft wide access path on Lake Wentworth, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com submitted a letter with no concerns on 03/14/09

APPROVE PERMIT:

Restore and stabilize 195 linear feet of disturbed shoreline with natural rock and plantings adjacent to an existing public beach with a 6 ft wide access path on Lake Wentworth, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates dated August 2008, as received by DES on March 09, 2009.
2. All dredged or excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-00427 MOKLER, HAROLD & FRANCES
ALTON Lake Winnepesaukee

Requested Action:

Repair an existing 37 ft 2 in x 26 ft 9 in "U" shaped permanent docking facility supported by full cribs, with a 17 ft 8 in x 34 ft 8 in boathouse over the center slip, reduce the southern interior dock to 3 ft in width resulting in and interior slip no wider than 11 ft, on an average of 35 ft of frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns with project as proposed

APPROVE PERMIT:

Repair an existing 37 ft 2 in x 26 ft 9 in "U" shaped permanent docking facility supported by full cribs, with a 17 ft 8 in x 34 ft 8 in boathouse over the center slip, reduce the southern interior dock to 3 ft in width resulting in and interior slip no wider than 11 ft, on an average of 35 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 10, 2009, as received by DES on March 09, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures with the exception of the reduction in the southern interior dock width as shown on the approved plan.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. This permit does not allow dredging for with in the slips to provide depth for a boat slip.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of any docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The reduction in crib size and removal of fill from the lake will meet requirements of Env-Wt 402.21.

5. The applicant has an average of 35 feet of shoreline frontage along Lake Winnepesaukee.
6. The existing docking facility provides for 3 slips on this frontage.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, and remove fill from public waters.

2009-00458

CADRAN PROPERTY SERVICES LLC

MILFORD Unnamed Wetland

Requested Action:

Dredge and fill a total of 6,980 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway/ culvert crossing with two (2) 36 inch diameter culvert pipes (with invert elevations being set slightly below grade to accommodate natural stone bottom materials) and storm water management facilities to access a 10-lot single family residential subdivision on a 34.5 acre parcel of land.

Conservation Commission/Staff Comments:

"The Milford Conservation Commission reviewed this application at their meeting of April 9, 2009. A site walk was held on April 10. The Commission recommends approval of the wetland crossing [w/ recommendations]."

APPROVE PERMIT:

Dredge and fill a total of 6,980 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway/ culvert crossing with two (2) 36 inch diameter culvert pipes (with invert elevations being set slightly below grade to accommodate natural stone bottom materials) and storm water management facilities to access a 10-lot single family residential subdivision on a 34.5 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants, Inc. dated November 24, 2008 (last revised 02/10/09), as received by DES on March 17, 2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. NH DES wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
11. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2008-01441 EXETER INVESTMENT COMPANY LLC

EXETER Unnamed Wetland Squamscott River

Requested Action:

Perform construction work in 400 sq. ft. of the tidal buffer zone of the Squamscott River to stabilize and then reconstruct a collapsed building foundation wall and to backfill behind the wall under the building in accordance with Emergency Authorization Verification issued July 30, 2008.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission has "no objection" to the issuance of an after-the-fact approval for this project which received an Emergency Authorization Verification on July 30, 2008.

Inspection Date: 08/18/2008 by David A Price

APPROVE AFTER THE FACT:

Perform construction work in 400 sq. ft. of the tidal buffer zone of the Squamscott River to stabilize and then reconstruct a collapsed building foundation wall and to backfill behind the wall under the building in accordance with Emergency Authorization Verification issued July 30, 2008.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering, PC dated August 29, 2008 , as received by DES on September 03, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Exeter Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during periods of low tide.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), Maintenance, repair or replacement of a non-docking structure with no change in location, configuration, construction type or dimensions.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project was issued a DES Wetlands Bureau Emergency Authorization Verification on July 30, 2008.

2009-00186 CUSTARD, ALICE
FREEDOM Unnamed Wetland

Requested Action:

Approve name change to: Alice Custard, PO Box 236, West Ossipee, NH 03890 per request received 5/05/09. Previous owner: Frank & Karen Dipietro.

APPROVE NAME CHANGE:

Dredge and fill 2,394 sq. ft. of wetlands to install a 15" x 12' culvert for construction of a driveway crossing to a single family house lot.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated 1/28/2009, as received by the Department on 2/08/2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Silt fencing must be removed once the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill for access to a single family lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands to reach the buildable portion of the lot.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project area by the NH Natural Heritage Bureau.
5. The Freedom Conservation Commission did not report.
6. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2009-00731 DALTON, TOWN OF
DALTON Johns River

Requested Action:

Propose to build a 110 foot long by 15 foot wide snowmobile bridge across the Johns River (perennial stream) impacting 150 sq. ft. of stream bank for the installation of the abutments and associated wing walls on the west bank.

APPROVE PERMIT:

Build a 110 foot long by 15 foot wide snowmobile bridge across the Johns River (perennial stream) impacting 150 sq. ft. of stream

bank for the installation of the abutments and associated wing walls on the west bank.

With Conditions:

1. All work shall be in accordance with plans by Stewart Structural Engineering, PLLC., entitled Dalton Ridge Runners Bridge Over Johns River Site Plan & Profile as received by DES on April 20, 2009; and narrative by Lobdell Associates, Inc., as received by DES on April 20, 2009.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
5. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
6. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
17. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04 (h) Installation of a bridge provided that: (1) No work is done in the water or wetland; (2) The fill does not exceed 3,000 sq. ft. of fill on the banks of a river or bed of the river; and (3) The bridge is not in prime wetlands, bogs, marshes, sand dunes, undisturbed tidal buffer zone or does not meet the requirements of Env-Wt 303.02(k);
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The snowmobile trail club can no longer use the railroad bridge to cross Johns River.
6. The snowmobile bridge will be part of an existing state-wide trail system.
7. The bridge will span the river.
8. The bank impacts are approximately 10 feet above the ordinary high water line.
9. The Town of Dalton granted permission to the Dalton Ridge Runners Snowmobile Club to construct the bridge on town property.
10. The applicant requested an expedited review on May 5, 2009 due to the economic hardship a standard review may cause. Grant money for the project expires on June 30, 2009 and a standard review may risk the loss of this grant money.
11. The department granted an expedited review on May 11, 2009 in accordance with Department Of Environmental Services

Standard Operating Procedure, No. 201-Processing of Permit Applications.

12. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the NH Natural Heritage Bureau or the Dalton Conservation Commission.

FORESTRY NOTIFICATION

2009-00869 BARKIE, DAVID
HOPKINTON Unnamed Stream

COMPLETE NOTIFICATION:
Hopkinton Tax Map 256, Lot# 25

EXPEDITED MINIMUM

2008-02077 EVERETT, LINNEA
HEBRON Newfound Lake

Requested Action:

Deny request to construct a drainage swale at the landward end of a constructed beach on Newfound Lake, Hebron.

Conservation Commission/Staff Comments:

Con Com signed Exp application

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny request to construct a drainage swale at the landward end of a constructed beach on Newfound Lake, Hebron.

With Findings:

1. A request for additional information dated November 03, 2008, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2009-00613 SEMPRINI, WAYNE & PAULETTE
NEW CASTLE Piscataqua Rive / Portsmouth Harbor

Requested Action:

Perform construction activities in 375 sq. ft. of the previously developed upland tidal buffer zone to construct a 12'X 12' room and an enclosed accessway between the existing dwelling and existing outbuilding with all new construction being more than 50 feet landward of the highest observable tide line on this lot having 196 linear feet of shoreline frontage on the Piscataqua River.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission signed the Minimum Impact Expedited application.

APPROVE PERMIT:

Perform construction activities in 375 sq. ft. of the previously developed upland tidal buffer zone to construct a 12'X 12' room and an enclosed accessway between the existing dwelling and existing outbuilding with all new construction being more than 50 feet landward of the highest observable tide line on this lot having 196 linear feet of shoreline frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Thane Pearson Design dated 2/25/2009, as received by DES on April 09, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-00620 BASSI, DAVID
NEWBURY Unnamed Pond

Requested Action:

Maintenance dredge 3,528 sq. ft. of an existing pond.

APPROVE PERMIT:

Maintenance dredge 3,528 sq. ft. of an existing pond.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs, dated March 21, 2009 as received by the Department on April 10, 2009.
2. All work shall be done during low flow.
3. All work shall be done under draw down conditions.
4. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Machinery shall not be located within surface waters, where practicable.
7. Machinery shall be staged and refueled in upland areas.
8. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.

10. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards.

11. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredging of a man-made pond.
2. The work will be completed within the bounds of the existing pond.
3. According to town records, the pond pre-dates 1934.
4. The Newbury Conservation Commission signed the Minimum Impact Expedited Application.
5. No comments were submitted from the NH Fish and Game Department or the Natural Heritage Bureau.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-00730 DEMOULAS, ARTHUR
TUFTONBORO Lake Winnepesaukee

Requested Action:

Repair an existing 175 ft long existing jetty using existing fallen rock on 1,430 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 175 ft long existing jetty using existing fallen rock on 1,430 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated April 09, 2009, as received by DES on April 27, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. The repairs shall maintain the size, location and configuration of the pre-existing structures.
7. Existing rocks which have fallen shall be used for repair. No additional rocks may be brought on site for repairs.
8. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
11. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-00766 **HEYL, LYDIA**
TUFTONBORO **Lake Winnepesaukee**

Requested Action:

Repair an existing 6 ft x 40 ft 8 in dock supported by a 10 ft x 40 ft full crib accessed by a 10 ft x 34 ft 2 in dock supported by a full crib in a "L" shaped configuration on Lake Winnepesaukee, Tuftonboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 6 ft x 40 ft 8 in dock supported by a 10 ft x 40 ft full crib accessed by a 10 ft x 34 ft 2 in dock supported by a full crib in a "L" shaped configuration on Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction, as received by DES on April 30, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

LAKES-SEASONAL DOCK NOTIF

2009-00831 VOGT, GREGORY & JANIS
WASHINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Washington Tax Map 10-33, Lot# 82 Ashuelot Pond

2009-00856 HIGGS, BARRIE
WAKEFIELD Balch Pond

COMPLETE NOTIFICATION:
Wakefield Tax MAp 63, Lot# 31 Balch Pond

2009-00859 HAYES, STEPHEN
MILTON Northeast Pond

COMPLETE NOTIFICATION:
Milton Tax Map 28, Lot# 15 & 16 Northeast Pond

2009-00860 MURRAY, STEPHEN
ACWORTH Crescent Lake

COMPLETE NOTIFICATION:
Acworth Tax Map 201-91, Lot# 1 Crescent Lake

2009-00884 ROSS, THOMAS
LITTLETON Partridge Lake

COMPLETE NOTIFICATION:
Littleton Tax Map 73, Lot# 17 Partridge Lake

PERMIT BY NOTIFICATION

2009-00650 NH DEPT OF TRANSPORTATION, BUREAU OF RAIL & TRANSI
LACONIA Harvey Brook

Requested Action:
Request to withdraw the pending wetlands application/Permit by Notification (PBN) for 4 sq. ft. of impact because your agent has determined that the proposed work will not require dredging or filling of jurisdictional wetlands, surface waters or banks of surface waters. The proposed sewer line will be directionally drilled under the jurisdictional wetlands.

WITHDRAW APPLICATION:

Withdraw the pending wetlands application/Permit by Notification (PBN) for 4 sq. ft. of impact because your agent has determined that the proposed work will not require dredging or filling of jurisdictional wetlands, surface waters or banks of surface waters. The proposed sewer line will be directionally drilled under the jurisdictional wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ae) Installation of residential utility lines and associated temporary impacts to permit utility services for a single family building lot.

**2009-00663 STEWART, RICHARD
JACKSON Unnamed Wetland**

Requested Action:

Propose to dredge and fill 285 sq. ft. of wetland and associated intermittent/ephemeral stream for construction of driveway to a single family lot. Work in wetlands consists of one wetland crossing including an intermittent stream crossing with an 18" diameter by 30' length HDPE culvert and associated filling and grading.

PBN IS COMPLETE:

Dredge and fill 285 sq. ft. of wetland and associated intermittent/ephemeral stream for construction of driveway to a single family lot. Work in wetlands consists of one wetland crossing including an intermittent stream crossing with an 18" diameter by 30' length HDPE culvert and associated filling and grading.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Company, Inc., entitled Wetlands Impact Plan as received by DES on April 16, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a) (8) The installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses that meets the criteria in Env-Wt 303.04(z).
3. The culvert was sized to handle the ephemeral sheet flow with additional free board provided to allow for frozen conditions during the winter.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2009-00705 SMITH, DAVID
CONWAY Unnamed Stream**

Requested Action:

Propose to dredge and fill 290 sq. ft. of wetland and associated intermittent stream for access. Work in wetlands consists of one wetland crossing including an intermittent stream crossing with an 18" diameter HDPE culvert and associated filling and grading.

PBN IS COMPLETE:

Dredge and fill 290 sq. ft. of wetland and associated intermittent stream for access. Work in wetlands consists of one wetland crossing including an intermittent stream crossing with an 18" diameter HDPE culvert and associated filling and grading.

With Conditions:

1. All work shall be in accordance with plans by Michael Lambert, entitled Driveway and Property Access & Drainage and Erosion

Control as received by DES on April 24, 2009.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a) (8) The installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses that meets the criteria in Env-Wt 303.04(z).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

CSPA PERMIT

2008-02457 CIOTTI, RONALD
WASHINGTON Highland Lake

Requested Action:

Impact 1000 sq ft for the purpose of excavating to construct a walk-out basement.

APPROVE PERMIT:

Impact 1000 sq ft for the purpose of excavating to construct a walk-out basement.

With Conditions:

1. All work shall be in accordance with plans by Luke Hurley revised May 4, 2009 and received by the Department of Environmental Services ("DES") on May 4, 2009.
2. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The applicant or their designated agent hereby requests a Waiver of Administrative Rules Env-Wq 1406.09 and 1406.11 and asks that DES waive the Shoreland Application Worksheet and a set of plans that delineates the area to remain in the unaltered state.
2. Pursuant to Env-Wq 1413.04 (a)(2),a, the Department of Environmental Services may grant an Administrative Rule Wavier if granting the request is consistent with the intent and purpose of the rule being waived.
3. The project as proposed will not alter the footprint of the existing structures on the project site, increase impervious surface area, or alter existing unaltered areas.
4. The Department of Environmental Services finds that there is sufficient evidence to grant the requested wavier.

2009-00520 POLIMENO, LAWRENCE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 1360 sq ft for the purpose of constructing a 24'x 26' garage off of an existing driveway.

APPROVE PERMIT:

Impact 1360 sq ft for the purpose of constructing a 24'x 26' garage off of an existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates Inc. dated March, 2009 and received by the Department of Environmental Services ("DES") on April 28, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No more than 17.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. The project as proposed will leave approximately 29,750 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 21,809 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00713 CLARKS TRADING POST
LINCOLN Pemigewasset River

Requested Action:

Impact 9500 sq ft for the construction of a bark mulch trail, rain gardens, outlet catch basins and a stormwater swale in an existing open area.

APPROVE PERMIT:

Impact 9500 sq ft for the construction of a bark mulch trail, rain gardens, outlet catch basins and a stormwater swale in an existing open area.

With Conditions:

1. All work shall be in accordance with plans by Headwaters Hydrology dated April 20, 2009 and received by the Department of Environmental Services ("DES") on April 23, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and

mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No more than 64.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

8. There shall be no impacts to native vegetation between 50' and 150' associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).

9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The applicant or their designated agent hereby requests and administrative rule waiver of Env-Wq 1405.03(c)(1), Limitations on Accessory Structures, under Env-Wq 1413.04(a)(1)(a), Criteria.

2. As the proposed area of impact is an existing open area the Department finds that granting the requested waiver meets the criteria of Env-Wq 1413.04(a)(1)(a) in that granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety.

**2009-00721 KELLY CASTLE SHORE TRUST, KEVIN & SUSAN KELLY
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Impact 7250 sq ft for the purpose removing an existing non-conforming single-family dwelling, shed and portion of drive and constructing a 4095 sq ft dwelling with drip line trenches.

APPROVE PERMIT:

Impact 7250 sq ft for the purpose removing an existing non-conforming single-family dwelling, shed and portion of drive and constructing a 4095 sq ft dwelling with drip line trenches.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated April 21, 2009 and received by the Department of Environmental Services ("DES") on April 27, 2009.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. Drip line trenches shall be installed within 6 months of the construction of the proposed foundation.

4. Each segment of the waterfront buffer shall be replanted as necessary to meet the minimum standards of RSA 483-B:9 prior to the initiation of any construction activities.

5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No more than 21.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

9. The project as proposed will leave approximately 3540 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3393 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an

unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00751 LAKE, PAUL
GILMANTON Crystal Lake

Requested Action:

Impact 4400 sq ft for the purpose of constructing a driveway and installing a state approved septic system.

APPROVE PERMIT:

Impact 4400 sq ft for the purpose of constructing a driveway and installing a state approved septic system.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering dated April 6, 2009 and received by the Department of Environmental Services ("DES") on April 28, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No more than 9.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00771 JESANIS, MICHAEL
SUNAPEE Lake Sunapee

Requested Action:

Impact 38,610 sq ft for the purpose of removing an existing non-conforming single-family dwelling and cabin, relocating a existing detached garage and constructing a 6,325 sq ft dwelling with attached garage, tennis court, walkways, 3 rain gardens, a pervious driveway and 2 walls.

APPROVE PERMIT:

Impact 38,610 sq ft for the purpose of removing an existing non-conforming single-family dwelling and cabin, relocating a existing detached garage and constructing a 6,325 sq ft dwelling with attached garage, tennis court, walkways, 3 rain gardens, a pervious driveway and 2 walls.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates Inc revised April 28, 2009 and received by the Department of Environmental Services ("DES") on April 29, 2009.
2. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
3. The proposed rain gardens shall be installed within 6 months of the initiation of construction.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No more than 26.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 13,265 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 12,015 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.